

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
WATERKEEPER ALLIANCE INC.,

Plaintiff,

-against-

SPIRIT OF UTAH WILDERNESS, INC.,
d/b/a GREAT SALT LAKEKEEPER, or
GREAT SALT LAKE WATER KEEPERS,

Defendant.
-----X

NELSON S. ROMÁN, United States District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 10/22/2021

10-cv-1136 (NSR)
ORDER TO SHOW CAUSE

Plaintiff Waterkeeper Alliance, Inc. (“Plaintiff”) commenced this action asserting claims against Defendant Spirit of Utah Wilderness, Inc. (“SUW”) and its officers for, *inter alia*, trademark infringement. By Opinion and Order, dated January 22, 2020, this Court granted Plaintiff’s motion seeking to hold Defendant SUW and its officers, specifically Jeffrey Salt (“Mr. Salt”) in further contempt and for an order of imprisonment. (ECF No. 171.) Pursuant to that Opinion and Order, the Court directed Mr. Salt, as an officer and principal of Defendant SUW, to surrender to the United States Marshal for the Southern District of New York, located at 300 Quarropas Street, White Plains, New York, on March 23, 2020 by 2:00 pm to be incarcerated until such time as he purged Defendant SUW and himself of the contempt. (*Id.*) Since March 23, 2020, the Court has granted Mr. Salt fourteen extensions to the deadline for his surrender. (ECF Nos. 183, 187, 189, 194, 201, 205, 209, 213, 218, 225, 227, 231, 234, & 239.)

As of the date of this Order, Mr. Salt has failed to comply with the Court’s October 2, 2017 and April 5, 2019 Orders by failing to:

- Provide Waterkeeper and the Court with a complete list identifying with specificity all instances in which Mr. Salt has used the Waterkeeper Marks after May 8, 2015, including in documents, correspondence, and on the internet.

- Justify his failure to make required payments. To the extent that Defendant is alleging he has insufficient funds to pay all of the fines, he must file with the Court and serve on Plaintiff's counsel an affidavit (the "Affidavit") detailing his personal finances in every material respect. The Affidavit shall include, but not be limited to, any and all of Defendant's sources of income from January 2016 through the date of the Affidavit, the amount of such income, any assets in which Defendant has a direct or indirect interest, any inheritance that Defendant has received, and any expenses and liabilities that Defendant has. The Affidavit shall also identify where Defendant has worked since January 2016, full or part time, any and all of Defendant's residences and places of business and, with respect to his residences, who owns the residences and the amount, if any, of the rent Defendant pays. Defendant shall attach to the Affidavit as exhibits, his federal income tax returns for the years 2016 through 2018, any W-2's, K-1's and 1099's he has received from January 1, 2016 to date, and any bank account and brokerage statements for any bank or brokerage accounts he has an interest in for the period January 1, 2016 to date.
- Provide answers to any written interrogatories and document requests filed by Waterkeeper with respect to the Affidavit, Defendant's personal finances, and Defendant's compliance with the Orders.
- Provide additional medical documentation to support his assertion that Defendant is unable to travel due to a specified medical condition.

In light of Mr. Salt's failure to purge himself of the contemptuous conduct and his failure to surrender by October 18, 2021, **Mr. Salt is required to show cause in writing on or before November 12, 2021 why the Court should not issue a warrant for his arrest pursuant to 18 U.S.C. § 401.** Failure to timely respond to this order to show cause will result in issuance of an arrest warrant to the United States Marshal Service. The Clerk of Court is kindly directed to terminate the motion at ECF No. 245.

Dated: October 22, 2021
White Plains, New York

SO ORDERED:



NELSON S. ROMÁN
United States District Judge